

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 12, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GREGG FREITAS and RYAN

CALVERT, individually and on behalf of

all others similarly situated,

Plaintiffs,

v.

HEARTLAND EXPRESS, INC OF

IOWA,

Defendant.

No. 2:19-CV-00383-SAB

**ORDER DISMISSING MOTIONS
AS MOOT; ORDERING JOINT
STATUS REPORT**

The parties have submitted an Updated Joint Status Report and Notice of Settlement. ECF No. 83. In the joint status report, the parties state that—with Judge Sabraw’s assistance and after two full-day mediation sessions—they have agreed to the mediator’s proposal. The parties report that the mediator’s proposal resolves not only this case, but also two similar, coordinated putative class action cases filed against Defendant in the San Bernardino County Superior Court, Coordinated Case No. JCPDS5045.

The parties state that they are now in the process of preparing a long-form settlement agreement and will file a motion for preliminary approval of the class action settlement once the agreement is finalized. However, the parties state that the mediator’s proposal left open the question of whether Plaintiffs will seek

**ORDER DISMISSING MOTIONS AS MOOT; ORDERING JOINT STATUS
REPORT # 1**

1 preliminary approval in this Court or in the San Bernardino County Superior Court.
2 The parties estimate that they will be able to update the Court as to next steps
3 within the next 21 days.

4 Finally, the parties request that the Court vacate the hearing dates on
5 Plaintiff's pending motions, ECF Nos. 22, 67, in light of the parties' settlement.

6 Accordingly, **IT IS HEREBY ORDERED:**

7 1. Plaintiffs' Motion for Conditional Certification, ECF No. 22, is
8 **DISMISSED as moot.**

9 2. Plaintiff's Motion for Class Certification, ECF No. 67, is
10 **DISMISSED as moot.**

11 3. On or before **August 3, 2022**, the parties shall submit another joint
12 status report updating the Court on next steps, particularly in regard to the parties'
13 plans for filing a motion for preliminary approval of class settlement.

14 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
15 this Order and to provide copies to counsel.

16 **DATED** this 12th day of July 2022.



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22 Stanley A. Bastian
23 Chief United States District Judge
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